

REMARKS

In the Office Action, claims 24-26 and 28 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,544,799 to Lewis et al. Also, claims 29-38 are objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. At the outset, Applicants wish to thank Examiner Gordon for the courtesies extended during the telephonic interview of Wednesday, November 3, 2004. Applicants have herein cancelled claims 1-24 without prejudice or disclaimer to the subject matter recited therein. Applicants reserve the right to claim the subject matter in the cancelled claims at a later time. Applicants have also herein added new claims 45-57.

Applicants have herein cancelled objected to claim 29 and re-presented it as new independent claim 45 including the limitations of claim 24, its base claim. Applicants note that new claim 45 does not include the "whereby" clause set forth in claim 24. Applicants submit that claim 45, and claims 28 and 30-38, which depend directly or indirectly from claim 45, are allowable.

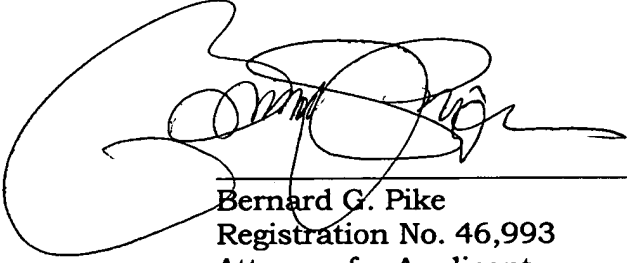
Applicants have herein added new claims 46-57. Applicants submit that the elements of new claims 46-57 for a vial autosampler capable of being in at least a first sampling configuration, a purge configuration, and a second sampling configuration as recited are not taught or suggested by the disclosure of Lewis. Applications respectfully submit that claims 28, 30-38 and 45-57 are in condition for allowance.

CONCLUSION

Applicants believe that they have fully addressed each basis for rejection.

Favorable reconsideration of the claims of the subject application and issuance of a Notice of Allowance is respectfully requested. Should the Examiner have any remaining concerns, he is requested to contact the undersigned at the telephone number below so that those concerns may be addressed without the necessity for issuing an additional Office Action.

Respectfully submitted,



Bernard G. Pike
Registration No. 46,993
Attorney for Applicant

KIRKPATRICK & LOCKHART LLP
Henry W. Oliver Building
535 Smithfield Street
Pittsburgh, PA 15222-2312

Telephone: (412) 355-8620
Facsimile: (412) 355-6501

Customer No.: 26,285